



# UNITED STATES PATENT AND TRADEMARK OFFICE

SW  
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United States Patent and Trademark Office  
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[www.uspto.gov](http://www.uspto.gov)

## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 11/07/2003

STAAS & HALSEY  
700 ELEVENTH STREET N W  
SUITE 500  
WASHINGTON, DC 20001

EXAMINER

NGUYEN, CUONG H

ART UNIT

PAPER NUMBER

3625

DATE MAILED: 11/07/2003

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/000,924      | 12/30/1997  | TAKAYUKI HASEBE      | 1083.1048/JD        | 5955             |

TITLE OF INVENTION: DATA PROTECTION SYSTEM, DATA PREPARATION DEVICE, AND DATA WORKING DEVICE

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO           | \$1330    | \$0             | \$1330           | 02/09/2004 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
(703) 746-4000**

**or Fax**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590                    11/07/2003

**STAAS & HALSEY**  
700 ELEVENTH STREET N W  
SUITE 500  
WASHINGTON, DC 20001

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

|                    |
|--------------------|
| (Depositor's name) |
| (Signature)        |
| (Date)             |

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| EXAMINER        | ART UNIT | CLASS-SUBCLASS |
|-----------------|----------|----------------|
| NGUYEN, CUONG H | 3625     | 705-051000     |

|   |   |
|---|---|
| 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  | 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. |
| <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. | 1_____  |

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent);       individual     corporation or other private group entity     government

4a. The following fee(s) are enclosed:

Issue Fee  
 Publication Fee  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

|  |        |
|--|--------|
| (Authorized Signature)   | (Date) |
| <p><b>NOTE:</b> The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.</p> <p>This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.</p> <p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.</p> |        |

TRANSMIT THIS FORM WITH FEE(S)



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| 7590   | 11/07/2003  |                      | EXAMINER            |                  |
| STAAS & HALSEY<br>700 ELEVENTH STREET N W<br>SUITE 500<br>WASHINGTON, DC 20001 |             |                      | NGUYEN, CUONG H     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 3625                |                  |

DATE MAILED: 11/07/2003

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 89 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 89 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.



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| STAAS & HALSEY<br>700 ELEVENTH STREET N W<br>SUITE 500<br>WASHINGTON, DC 20001 |             |                      |                     | EXAMINER<br>NGUYEN, CUONG H |
|  |             |                      |                     | ART UNIT<br>3625            |
|  |             |                      |                     | PAPER NUMBER                |

DATE MAILED: 11/07/2003

## Notice of Fee Increase on October 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after October 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on October 1, 2003. See Revision of Patent Fees for Fiscal Year 2004; Final Rule, 68 Fed. Reg. 41532, 41533, 41534 (July 14, 2003).

The current fee schedule is accessible from (<http://www.uspto.gov/main/howtofees.htm>).

If the fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due" but not the correct amount in view of the fee increase, a "Notice of Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice of Pay Balance of Issue Fee," if the response to the Notice of Allowance is to be filed on or after October 1, 2003 (or mailed with a certificate of mailing on or after October 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously-paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Effective October 1, 2003, 37 CFR 1.18 is amended by revising paragraphs (a) through (c) to read as set forth below.

### Section 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (Sec. 1.27(a))..... \$665.00  
By other than a small entity..... \$1,330.00

(b) Issue fee for issuing a design patent:

By a small entity (Sec. 1.27(a))..... \$240.00  
By other than a small entity..... \$480.00

(c) Issue fee for issuing a plant patent:

By a small entity (Sec. 1.27(a))..... \$320.00  
By other than a small entity..... \$640.00

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

SW

## Notice of Allowability

|  |                                      |                                      |
|--|--------------------------------------|--------------------------------------|
|  | Application No.<br><b>09/000,924</b> | Applicant(s)<br><b>Hasebe et al.</b> |
|  | Examiner<br><b>Cuong H. Nguyen</b>   | Art Unit<br><b>3625</b>              |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 3/10/2003 (the amendment).
2.  The allowed claim(s) is/are 1-18, 20, 22, and 23.
3.  The drawings filed on Dec 30, 1997 are acceptable as formal drawings.
4.  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - a)  All      b)  Some\*      c)  None      of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

5.  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

6.  Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7.  Applicant MUST submit NEW FORMAL DRAWINGS
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No. \_\_\_\_\_.
  - (b)  including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.
  - (c)  including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8.  Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

### Attachment(s)

|  |   |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____.            |
| 5 <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449), Paper No(s). _____          | 6 <input type="checkbox"/> Examiner's Amendment/Comment                             |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 9 <input type="checkbox"/> Other   |   |

## 1DETAILED ACTION

1. This Office Action is the answer to the communication received on 3/10/2003 (the 2<sup>nd</sup> supplemental amendment), which paper has been placed of record in the file.
2. Claims 1- 18, 20, 22-23 are pending in this application.

### Priority

3. Applicants' claim for foreign priority under 35 U.S.C. 119 is acknowledged. The submitted parent of this application is a Japanese Patent Application No. 9-154046 filed June 11, 1997.

### ***Allowable Subject Matter & Reasons for Allowance***

4. Independent claim 20 is patentable distinct over closest previous patents of Hasebe et al. (US Pat. 5,392,351), in view of Hasebe et al. (US Pat. 5,761,651), and further in view of Iwayama et al. (US Pat. 5,832,083), because these references do not anticipate nor fairly and reasonably teach a data processing device, comprising:

- a processing unit in communication with a storage unit and programmed to process input data, which is linked to, and/or embedded in, prepared data according to a compound document programming technique, to produce differential data by comparing the processed linked and embedded input data with the linked and embedded input data in the prepared data, and to store the differential data in the storage unit.

5. Independent Claims 1, 4, 9, 12, 15, 18, 22-23 are patentable distinct over closest previous patents of Hasebe et al. (US Pat. 5,392,351), in view of Hasebe et al. (US Pat. 5,761,651), further in view of Iwayama et al. (US Pat. 5,832,083), because these references do not anticipate nor fairly and reasonably teach a

computer system protecting input data of a compound document against unauthorized use during utilization of the input data, comprising:

- determining based upon information of input data embedded and/or linked in a compound document created if the input data require authorization in order to display said compound data; and forbidding storage of said input data if the input data requires authorization for use.

***Conclusion***

6. Claims **1- 18, 20, 22 - 23** are patentable.
7. These cited references are related to applicants' disclosure, however they are not anticipated this pending invention:
  - **Makoto et al.**, JPO-08185448 A (published on 7/16/1996), about a system and a device for managing data copyright. This document only teaches about broadly providing a data copyright managing system in a multi-media system; therefore, above pending subject matter of a storage medium configured to determine if an input data needs authorization for embedding in a compound document is not disclosed.
  - Ahti Saarenpaa, "Data protection: In pursuit of information so ... implementations of , data protection in Finland...", International Review of Law, Computers & Technology, 1997. This document is not proper as a prior art.
  - Omid Sojoodi et al., "Graphical program node for accessing capabilities of a software object", PGPUB-DOCUMENT-NUMBER 20020196285 A1, 12/2002. This document is not proper as a prior art.

- Roseann McGrath Brooks, "I is for image: keyword adds compound document image objects to its document interchange software", DEC Professional, Jan. 1992, vol.11, no. 1, p. 28(1).
- Mark Walter, "Compound documents: interchange and integration", The Seybold Report on Desktop Publishing, 7/22/1991, vol.5, no. 11, p. 10(16).
- "Electronic delivery of documents: when paper just can't do the job", The Seybold Report on Desktop Publishing, 12/01/1991, vol.6, no. 4, p. 38(4).
- "OLE 2 Programmer's Reference", Microsoft Press, 1994, vol.1, pp. 3-29.
- **Levac et al.** (US Pat. 5,872,926), about an integrated message system in OLE environment that requires an input authorization. This reference doesn't disclose that input must be data embedded and linked in a compound document as claimed.
- **Shanton** (US Pat. 5,717,755 – 2/1998 – 713/166), disclose a distributed cryptographic object method. This document does not use input data of OLE format or compound data input format.
- **Shanton** (US Pat. 5,680,452<sup>b</sup> – 10/1997 – 713/167), disclose a distributed cryptographic object method. This document does not use input data of OLE format or compound data input format.
- **Volk et al.** (US Pat. 5,687,331 – 11/1997 - 345/840), disclose a system and a method for displaying an animated focus item. This document is not an analogous art and its subject matter of invention is different.

- **Volk et al.** (US Pat. 5,673,401 – 9/1997 - 725/139), disclose a system and a method for a customizable sprite-based GUI. This document is not an analogous art and its subject matter of invention is different.
- **Wolf et al.** (US Pat. 5,818,447 – 10/1998 - 345/752), disclose a system and a method for in-place editing of an electronic mail message using a separate program. Although OLE and compound data are discussed, this document is silent about authorization for use of those input data.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cuong H. Nguyen whose telephone number is 703-305-4553. The examiner can normally be reached on Mon.-Fri. from 7:00 AM to 3:15 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins, can be reached on (703)308-1344.

Any response to this action should be mailed to:

Allowances

***Commissioner of Patents and Trademarks  
Washington D.C. 20231***

or faxed to: (703)305-7687 [Official communications;

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7<sup>th</sup> floor receptionist.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

09/000, 92  
Art Unit 5625

Cuongnguyen CAN  
Primary Examiner  
May. 03, 2003